

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

**JOSEPH TONY BADEAUX
LA. DOC #120331
VS.**

CIVIL ACTION NO. 6:10-cv-1741

SECTION P

JUDGE TUCKER L. MELANÇON

WARDEN STEVE RADER

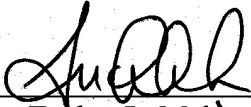
MAGISTRATE JUDGE HILL

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, *R. 3*, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law; it is

ORDERED that the second and successive Petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254 by Joseph Tony Badeaux be **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit in accordance with 28 U.S.C. § 2244(b)(3) for further proceedings by that court.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 14th day of _
January, 2011.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE